

# JOURNAL OF THE SENATE

Thursday, May 6, 1943

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Wednesday, May 5, 1943.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Wilson—35.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Wednesday, May 5, 1943, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Your Committee on Conservation of Natural Resources, to whom was referred:

House Bill No. 265:

A bill to be entitled An Act to make it unlawful to cremate any dead human body prior to the expiration of forty-eight hours after the death of such human body and providing a penalty therefor.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

RAYMOND SHELDON,  
Chairman of Committee.

And House Bill No. 265, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Labor and Industry, to whom was referred:

Senate Bill No. 265:

A bill to be entitled An Act to amend Section 440.12 Florida Statutes, 1941, and Section 440.13 Florida Statutes, 1941, as amended by Section 2, Chapter 20672, Acts of 1941, relating to the Workmen's Compensation Law; by providing for an increase in the employer's liability for the weekly payments of compensation to injured employees and authorizing the Industrial Commission within a certain time to order the employer and/or insurance carrier to furnish medical treatment to injured employees in excess of one thousand dollars if the nature of the injury or the process of recovery requires such action.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

RAYMOND SHELDON,  
Chairman of Committee.

And Senate Bill No. 265, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 148:

A bill to be entitled An Act permitting the adjudication of tax liens of equal dignity in suits in the nature of proceedings in rem for the foreclosure of municipal tax and special assessment liens authorized by Chapter 173, Florida Statutes, 1941; authorizing owners, holders or assignees of tax liens of equal or inferior dignity with those being foreclosed on or against the lands being proceeded against to be made parties defendant in such proceedings for the purpose of adjudicating and satisfying such tax liens, and providing for the method of obtaining jurisdiction of such parties defendant.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,  
K. GRINER,

Chairman of Committee.

And Senate Bill No. 148, contained in the above report, was certified to the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 320:

A bill to be entitled An Act making it unlawful for any person driving a truck or other vehicle not for hire to transport and unload into the State of Florida any vagrant, and to provide the penalty for the violation of this Act.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,  
K. GRINER,

Chairman of Committee.

And Senate Bill No. 320, contained in the above report, was certified to the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 87:

A bill to be entitled An Act to provide for the disposition of unclaimed dividends from assets conveyed to a Trustee, Corporation, or Liquidating Agent by a State Bank or Trust Company under the provisions of Sections 653.55, 653.56 and 653.57, Florida Statutes, 1941.

Senate Bill No. 255:

A bill to be entitled An Act to amend Section 1 of Chapter 14899, Acts 1931 as amended by Section 1 Chapter 17253, Acts 1935 as amended by Section 1 of Chapter 19190, Acts 1939; Section 5 of Chapter 14899, Acts 1931 as amended by Section 4 of Chapter 17253, Acts 1935 as amended by Section 2 of Chapter 19190, Acts 1939; Section 11 of Chapter 14899, Acts 1931 as amended by Section 6 of Chapter 17253, Acts 1935 as amended by Section 3 Chapter 20960, Acts 1941, being "An Act regulating the sale of securities and to make uniform the law relating thereto; and to repeal Statutes which are inconsistent herewith."

Senate Bill No. 41:

A bill to be entitled An Act to amend Sections 462.01, 462.05, and 462.08, Florida Statutes, 1941, defining naturopathy and relating to examination, license and registration requirements for the practice of naturopathy; providing additional requirements for granting renewal licenses; providing for restoration of expired licenses and registration with State Board of Health; recognizing provisions of Florida Basic Science Law, providing for partial invalidity of Chapter; and repealing all laws in conflict herewith.

Hereby reports that the above bills have been correctly enrolled and are presented herewith for the signature of the President and Secretary of the Senate.

Very respectfully,  
S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

The Bills contained in the above report were duly signed by the President and Secretary of the Senate in open Session, and ordered to be transmitted to the House for the signature of the Speaker and Chief Clerk of the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 218:

A bill to be entitled An Act providing a supplemental and

optional method of advertising the sale of lands for unpaid taxes, by County Tax Collectors of all Counties of the State of Florida having a population of not less than 100,000 and not more than 200,000, according to the last Federal census.

#### House Bill No. 290:

A bill to be entitled An Act to fix and provide the payment of compensation of the Members of the Boards of County Commissioners in all counties in the State of Florida, whose population according to the 1940 Federal census was not less than 5750 and not more than 5950; to provide that said Act shall be effective and the additional compensation be paid from October 1, 1942 and to further provide from what funds the additional compensation shall be paid, and to repeal all laws in conflict with the same.

#### House Bill No. 294:

A bill to be entitled An Act to fix and provide the compensation of the Members of the County Board of Public Instruction in all counties in the State of Florida, whose population according to the 1940 Federal census was not less than 5750 and not more than 5950.

#### House Bill No. 330:

A bill to be entitled An Act providing the manner in which checks issued by City of Chipley, Florida, in payment of claims, accounts and obligations owed by said City, shall be executed; providing that only checks of said City so executed shall be obligations of said City; and providing that in the absence of Notice to the depository of said City, no responsibility shall be charged to such depository with respect to whether or not any such checks so issued and presented for payment were executed at a regularly constituted meeting of the Council of said City.

#### House Bill No. 337:

A bill to be entitled An Act to amend Section 59 of the Charter of the City of Miami, being Chapter 10847, Laws of Florida, Special Acts of 1925, as amended by Chapter 13098, Acts of 1927, entitled: "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain Acts and proceedings of the Commission and of the Officers of the City," by adding thereto a new paragraph to be known as Paragraph 59-G, authorizing and empowering the Municipal Judge to adjudicate a forfeiture to the City of Miami of all sums of monies taken from gambling implements, devices or apparatus, or seized in gambling raids by police officers, or in connection with any gambling device, scheme, lottery or game of chance, and used in evidence against any defendant or defendants charged with any violation of any ordinance or ordinances of the City of Miami.

#### House Bill No. 339:

A bill to be entitled An Act to amend Chapter 18698, Acts of 1937, which was entitled as follows: "An Act recreating, confirming and continuing Miami Shores Village, a municipal corporation in Dade County, Florida; enlarging its boundaries and powers; prescribing qualifications of its electors; ratifying all taxes levied and Acts done by its officers; consolidating, superseding and amending prior Acts affecting said village, including Chapters 15689, 15690, 16568, 17610, Laws of Florida, (Acts of 1931, 1933, 1935), and repealing all laws so far as inconsistent with this Act; saving all rights, remedies and defenses of said village; declaring a rule of construction; and relating generally to said village" by authorizing and empowering said Miami Shores Village to establish and maintain a public library and public library system, and to levy a special tax not exceeding one mill, upon the real and personal property therein, for the purpose of establishing and maintaining said public library and public library system in said Miami Shores Village.

#### House Bill No. 342:

A bill to be entitled An Act applicable to the Official Court Reporter for the Criminal Court of Record in any County of the State of Florida having a population of more than 250,000 according to the last preceding State or Federal census, and

providing for the appointment and compensation of said Official Court Reporter.

#### House Bill No. 408:

A bill to be entitled An Act authorizing and empowering the City Commission of the City of Panama City, Florida, to adjust, compromise, and settle delinquent city taxes of said City for the year 1941 and prior years; and to ratify, approve, and confirm settlements of such taxes heretofore made.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,  
S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills  
on the part of the Senate.

Bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Your Joint Committee on Enrolled Bills, to whom was referred:

#### House Bill No. 118:

A bill to be entitled An Act fixing the compensation of members of the Boards of Public Instruction in all counties of the State of Florida having a population of not less than 15,000 and not more than 16,000, according to the Federal census of 1940.

#### House Bill No. 159:

A bill to be entitled An Act to amend Chapter 17790 of the Laws of the State of Florida, Acts of 1937, same being: An Act relating to the compensation of the Clerks of the Circuit Court for services performed in suits or proceedings before the Circuit or County Courts in all of the counties in the State of Florida having a population of not less than 23,050 nor more than 26,000 according to the last or any future State census.

#### House Bill No. 214:

A bill to be entitled An Act fixing the compensation of the members of the Boards of County Commissioners in all counties of the State of Florida having a population of not less than 15,000 and not more than 16,000 according to the Federal census of 1940.

#### House Bill No. 261:

A bill to be entitled An Act providing that Section 98.27 Florida Statutes, 1941, relating to publication of a Certified List of Qualified Electors before any General Election shall be inapplicable to all counties of the State having a population of not less than 8,000 and not more than 8,500, according to the United States census of 1940.

#### House Bill No. 317:

A bill to be entitled An Act providing that Section 98.27 Florida Statutes, 1941, relating to publication of a Certified List of Qualified Electors before any General Election shall be inapplicable to all counties of the State having a population of not less than 6,500 and not more than 6,750, according to the United States census of 1940.

#### House Bill No. 326:

A bill to be entitled An Act to repeal Sections 11, 12, 160, 161 and 162 of Chapter 10552, Laws of Florida, Special Acts of 1925, being the Charter of the City of Fort Lauderdale, all relating to elections, and the manner of electing City Commissioners of the City of Fort Lauderdale; and to enact new provisions relative to elections in the City of Fort Lauderdale, and as to the qualifications and manner of electing City Commissioners of the City of Fort Lauderdale, and for other purposes relative thereto.

#### House Bill No. 335:

A bill to be entitled An Act to amend the Charter of the City of Miami, Florida, by authorizing said city to levy an annual tax, not exceeding four mills on the dollar, upon real and personal property therein, for the purpose of main-

taining and operating a hospital in the City of Miami, Florida.

**House Bill No. 336:**

A bill to be entitled An Act to provide for the publication by the City of Miami, Florida, of a clear and understandable and inexpensive notice of sale of real estate because of the non-payment of past due municipal taxes when such sale is otherwise authorized by law.

**House Bill No. 338:**

A bill to be entitled An Act to amend Section 13 of Chapter 10847, Laws of Florida, approved May 9, 1925, entitled: "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the Boundaries and provide for the government, powers and privileges of said city and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain acts and proceedings of the Commission and of officers of the city," relating to the filling of vacancies on the Commission caused by death, resignation or other causes, and providing that such vacancies shall be filled by appointment until their successors in office are elected and qualified, and providing for the election of more than three commissioners when necessary, all in compliance with Section 4 of the Charter of the City of Miami.

**House Bill No. 340:**

A bill to be entitled An Act to empower the Boards of County Commissioners of counties having populations of not less than 260,000 according to the last preceding State or Federal census, to create districts for the collection, removal and disposal of garbage and waste in built-up communities having no municipal garbage and waste collection, removal and disposal ordinances, rules or regulations; requiring said boards to call public meetings upon petition of householders residing in such communities to determine if such districts shall be created; providing for the method of creation of such districts; empowering said boards to enter into contracts for such purposes with persons, firms, partnerships, corporations and municipalities, to adopt rules and regulations applicable to such various districts, and to collect varying fees for such collection, removal and disposal and for pro rata shares of cost of administration; providing for the administration of this Act and of all orders, rules, regulations or resolutions made under authority hereof, and prohibiting the collection, removal or disposal of garbage or waste in such districts hereafter created, except in accordance with such rules, regulations, orders or resolutions; and providing for methods of enforcement and remedies and penalties for violation of this Act or of any rule, regulation, order or resolution adopted under authority hereof.

**House Bill No. 341:**

A bill to be entitled An Act authorizing and empowering the City of Miami to establish, appropriate, invest and maintain post-war public works reserve funds; to formulate and develop schedules for long-range, post-war programs of public works projects, and to make plans and surveys therefor.

**House Bill No. 349:**

A bill to be entitled An Act to appropriate \$3,000 of racing revenue to the support of the local health unit in all counties of the State having a population of not less than 12,890 and not more than 12,910 according to the Federal census of 1940, and repealing all laws in conflict herewith.

**House Bill No. 428:**

A bill to be entitled An Act authorizing and empowering the City of Panama City to prepare, approve and legally adopt a plat or map covering all lands in said city; to change the names of streets throughout the city, where duplicate street names now exist.

**House Bill No. 386:**

A bill to be entitled An Act to fix and provide the compensation of the Clerk of the Circuit Court in and for Citrus County, Florida, for the collection and distribution of moneys for delinquent State and county taxes, and to provide how and from what moneys said compensation shall be payable, and to repeal all laws in conflict with said Act.

Have examined the same and find them correctly enrolled. The same having been duly signed by the Speaker and

Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills on the part of the Senate.

Bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

**INTRODUCTION OF BILLS AND JOINT RESOLUTIONS**

By Senator McKenzie—

Senate Bill No. 373:

A bill to be entitled An Act to authorize the Trustees of the Internal Improvement Fund to convey title to certain land marginal to Lake Broward in Putnam County, Florida, to the Town of Pomona in said county, authorizing said town in reference to said land and providing for a survey thereof.

Which was read the first time by title only.

Senator McKenzie moved that the rules be waived and Senate Bill No. 373 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 373 was read the second time by title only.

Senator McKenzie moved that the rules be further waived and Senate Bill No. 373 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 373 was read the third time in full.

Upon the passage of Senate Bill No. 373 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Wilson—35.

Nays—None.

So Senate Bill No. 373 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Lewis—

Senate Bill No. 374:

A bill to be entitled An Act to provide for the granting of certificates of registration as a registered pharmacist to certain persons who do not possess the qualifications now required by law and without taking the examination now provided by law.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Mathews—

Senate Bill No. 375:

A bill to be entitled An Act relating to the City Council of the City of Jacksonville, reducing the number of Councilmen of said city; reducing the number of wards of said city; and providing for councilmen at large; fixing the term of office of such Councilmen; and fixing their salaries.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 375 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Mathews moved that the rules be waived and Senate Bill No. 375 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 375 was read the second time by title only.

Senator Mathews moved that the rules be further waived and Senate Bill No. 375 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 375 was read the third time in full.

Upon the passage of Senate Bill No. 375 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hymely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Wilson—35.

Nays—None.

So Senate Bill No. 375 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Mathews—

Senate Bill No. 376:

A bill to be entitled An Act to suspend the operation for the duration of the present war of that portion of Section 12, Chapter 10955, Laws of Florida of 1941, prohibiting the employment of minors under 18 years of age in the operation of a motor vehicle or as a helper thereon; and further providing for the revival of said provision upon the cessation of hostilities.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,  
May 5, 1943.

Hon. Philip D. Beall,  
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Miss Baker, et als—

House Bill No. 275:

A bill to be entitled An Act relating to the rights of married women in Florida.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 275, contained in the above Message: was read the first time by title only.

Senator Johnson moved that the rules be waived and House Bill No. 275 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

#### SENATE BILLS ON SECOND READING

Senate Bill No. 244:

A bill to be entitled An Act to amend Section 550.16 Florida Statutes 1941, as amended by Chapter 20306, Laws of Florida, Acts of 1941, same being "An Act relating to pari-mutuel pools, commissions thereon, the distributions thereof, the 'breaks' and defining same, regulating the purchase and sale of an interest in any such pool, making it a crime to violate such regulations and amending Section 16 of Chapter 14832, Laws of Florida, Acts of 1931, as amended by Section 10 of Chapter 17276, Laws of Florida, Acts of 1935, relative thereto; and levying a tax upon every licensee conducting a horse race meet, or operating a race track equal to five per centum of the total contributions to all pari-mutuel pools on horse races in addition to all other taxes otherwise levied or assessed; and providing when and where said taxes shall be paid, making an appropriation thereof and designating said tax as the 'old age assistance tax', and providing deductions from said tax to be paid in equal amounts to the counties of this state, according to law, should the amounts payable to said counties from horse race meets be less than the total amount distributed to the said counties therefrom in the racing season 1940-1941, and limiting the force and effect of this Act until July 1st, 1943, and providing a penalty for wilful or wanton non-payment of tax," relating to the levy of

taxes on all pari-mutuel pools; providing for the levying of a tax upon every licensee conducting a dog race meeting, of a percentage of the average total daily contributions to pari-mutuel pools on dog racing in addition to all other taxes otherwise levied and assessed; providing when and where said taxes shall be paid and designating said taxes for the "old age assistance tax fund"; and providing a penalty for non-payment of such tax.

Was taken up in its order.

Senator Shands moved that the rules be waived and Senate Bill No. 244 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 244 was read the second time by title only.

The following Committee Substitute for Senate Bill No. 244:

"A bill to be entitled An Act levying a tax upon every licensee conducting a dog race meeting, of a percentage of the average total daily contributions to pari-mutuel pools on dog racing in addition to all other taxes otherwise levied and assessed; providing when and where said taxes shall be paid and designating said taxes for the "old age assistance tax fund"; and providing a penalty for non-payment of such tax.

Was taken up and read the first time by title only.

Senator Shands moved that the rules be waived and the Committee Substitute for Senate Bill No. 244 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And the Committee Substitute for Senate Bill No. 244 was read the second time by title only.

Senator Shands moved the adoption of the Committee Substitute for Senate Bill No. 244.

Which was agreed to and the Committee Substitute for Senate Bill No. 244 was adopted.

Senator Shands moved that the rules be further waived and Committee Substitute for Senate Bill No. 244 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for Senate Bill No. 244 was read the third time in full.

Pending roll call on the passage of Committee Substitute for Senate Bill No. 244, and the hour having arrived for the Memorial Services in honor of the late Senator R. Stanley Adams, pursuant to the motion heretofore made by Senator Black, the following Resolution was offered:

By Senator Black—

Senate Resolution No. 5:

WHEREAS, with a deep feeling of loss because of his death, and yet with a profound feeling of pride because of the accomplishments of his life, the Senate of the State of Florida wishes to pause in its deliberations and pay tribute to the late Honorable Robert Stanley Adams, who departed this life on the 1st day of April, 1943,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA: That the following tribute and expression regarding the career of the late Honorable Robert Stanley Adams be adopted:

#### SENATOR ROBERT STANLEY ADAMS

Robert Stanley Adams was born in Jasper, Florida, August 27, 1895, and was descended from a long and distinguished line of ancestors who have helped write the history of America since the beginning of its Constitution. His grandfather, Robert Watkins Adams, as well as his father, Frank Adams, served in the Florida State Senate before him.

Senator R. S. Adams, attended Florida's public schools, the University of the South, at Suwannee, Tennessee, and graduated from the Eastman Business School, Poughkeepsie, New York.

In 1915 he was married to Priscilla Brobston, of Jacksonville, Florida.

His business career, which began in the Barnett National Bank of Jacksonville, was interrupted by his voluntary enlistment in the U. S. Navy during World War I. After the Armistice he returned to his native county, Hamilton, where he began his life work of farming.

His political interests first centered in the operation of county affairs and he was elected to the Board of County Commissioners of Hamilton County, and served two terms from 1923 to 1927, and then voluntarily retired for one term and was again elected and served two terms from 1929 to 1933. During all of his service as County Commissioner he served as Chairman of the Board and was largely instrumental in the placing of the county affairs in a strong financial position. He applied his business ability and experience to the operation of the county's business, and as a result, the county's affairs greatly improved under his administration. By his magnetic personality and ability to cooperate with his associates he enjoyed the full cooperation and esteem of his fellow Board members.

In 1934 he was elected State Senator from the Thirtieth District and was again reelected in 1938, both times by large popular majorities and in 1942 he was elected for a third term without opposition. His service in the Senate was characterized by vigorous and energetic action on every question of importance coming before the Senate and his aid of or opposition to any measure counted heavily in the success or defeat of such measure. His interests centered largely upon matters affecting agriculture, live stock, forestry, taxation and finance and kindred subjects, and he was continually working for measures favorable to these interests or against proposed measures that he considered inimical to them.

He took an active interest in the adoption of the Homestead Tax Exemption amendment and personally conducted a speaking tour of his home county in its interest, and was largely responsible for the large favorable vote which the amendment received in his county.

He also worked hard and untiringly for the location of the Stephen Foster Memorial at White Springs, and his efforts contributed largely to the selection of the site upon the banks of the Suwannee River, which he dearly loved. After the selection of the location, he sponsored the passage by the Senate of the bill creating the Stephen Foster Memorial Commission, and later an appropriation for the Memorial in the sum of one hundred thousand dollars.

He was vitally interested in the betterment of agriculture, and it was for this reason that he sponsored in the Senate a bill providing for rural electrification, and was successful in securing its passage. He regarded this as one of the major accomplishments of his political career.

Recognized as one of the most powerful figures in Florida, Senator Adams was a fearless fighter, tireless in his efforts to attain his goals. He had a rare gift of drawing people close to him, and he numbered his friends by the thousands—people of both high and low estate. His magnetic personality was one of his greatest assets.

Stanley Adams owned and operated one of the South's largest individual farms, which is also recognized as an outstanding game preserve, lying for miles along the Suwannee River. He was also a large turpentine operator.

He was always interested in civic enterprises and spent much of his time, efforts and money in trying to advance the cause of his community. He spent much time, effort and money in securing the location and erection of a Federal Post Office building in Jasper. He was a member of the Lions Club, the American Legion and was a Mason. At the time of his death he was Worshipful Master of the Jasper Lodge, this honor having been bestowed upon him for the second time. He was a member of the Methodist Church.

Surviving him are his widow, and three children, Priscilla Adams Tarplee, Frances Adams, and Robert Stanley Adams, Jr., and one grandchild, Priscilla Tarplee.

The State of Florida and the County of Hamilton have lost a valued public servant, his friends—a true and loyal companion.

**BE IT FURTHER RESOLVED:** That this Resolution be spread in full upon the Journal of this Session, that copies thereof be furnished to the press, and also to the members of the family of our said departed colleague.

Which was read the first time in full.

The question was put on the adoption of the Resolution.

Which was agreed to and Senate Resolution No. 5 was adopted.

Senator Black now presiding.

Senators Lewis, Beacham, Beall and Collins, in the order named, eulogized the late Senator R. Stanley Adams.

Senator Black, for and on behalf of the Senate, presented certified copies of Senate Resolution No. 5 to the family of the late Senator Adams.

The President now presiding.

Senator Housholder moved that when the Senate adjourns it adjourn to reconvene at 3:00 o'clock P. M., this day.

Which was agreed to and it was so ordered.

Senator Housholder moved that the Senate do now adjourn.

Which was agreed to and the Senate recessed at 12:25 o'clock P. M., until 3:00 o'clock P. M., this day.

## AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Wilson—35.

A quorum present.

## REPORTS OF COMMITTEES

Your Committee on Judiciary "C", to whom was referred: House Memorial No. 7:

A Resolution to memorialize Congress to enact a national annuity, pension or assistance plan to be uniform throughout the United States for the benefit of the aged, widows and dependent children.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

J. GRAHAM BLACK,

Chairman of Committee.

And House Memorial No. 7, contained in the above report, was laid on the table.

Your Committee on Judiciary "C", to whom was referred: Senate Bill No. 293:

A bill to be entitled An Act to repeal the following Sections of the Florida Statutes of 1941 Revision:

SECTION 817.08, which provides for prosecution and punishment of a sponge fisherman who accepts any money or goods, wares or merchandise as advances for the performance of services as a seaman or sponge fisherman and refuses to perform said services or to go on the vessel at the time of sailing of same; and,

SECTION 817.09, which provides for the prosecution of any person who, with intent to injure and defraud another by reason of a contract or a promise to perform labor, procures or obtains money or other things of value as a credit or as advances, fails and refuses to perform the contract, pay for the advances, or to pay the money; and,

SECTION 817.10, which makes a violation of Section 817.09 prima facie evidence of intent to injure and defraud.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

J. GRAHAM BLACK,

Chairman of Committee.

And Senate Bill No. 293, contained in the above report, was laid on the table.

Your Committee on Executive Communications, to whom was referred:

House Memorial No. 8:

A Memorial requesting Congress to continue the appropriation for the work of the Farm Security Administration.

House Memorial No. 12:

Commending President Roosevelt upon his good judgment in handling the coal strike problem.

Have had the same under consideration, and recommend that the Senate adopt same.

Very respectfully,

HARRISON E. BARRINGER,  
Chairman of Committee.

And House Memorials Nos. 8 and 12, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Your Committee on Education, to whom was referred:

Senate Bill No. 370:

A bill to be entitled An Act to amend Sections 231.07, 231.17, 234.14, 235.32, 236.37, 236.38, 236.43, 236.45, 236.47, 236.48, 236.55, 237.19, and 237.22, Florida Statutes 1941; Section 237.23, Florida Statutes 1941, as amended by Section 10 of Chapter 20970, Laws of Florida, Acts of 1941; Section 238.10, Florida Statutes 1941, as amended by Section 4 of Chapter 20749, Laws of Florida, Acts of 1941; and Sections 1 and 2 of Chapter 20915, Laws of Florida, Acts of 1941 (Section 236.60, Florida Statutes 1941); and to repeal Sections 242.07, 242.08, 242.09, 242.25, 242.26, 242.27, 242.28, 242.29, 242.30, 242.31 and 242.32, Florida Statutes 1941, relating to public education.

Senate Bill No. 371:

A bill to be entitled An Act to authorize the qualified electors of any special tax school district in the State, under conditions prescribed herein to vote, as a part of the millage authorized by Section 10 of Article XII of the Constitution, a special millage the proceeds of which shall be used exclusively for capital outlay and building maintenance purposes within the distance, in lieu of voting and issuing bonds.

Committee Substitute for House Bill No. 177:

A bill to be entitled An Act to provide for the control and operation of school lunchrooms in the several counties of Florida.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

JAY A. SHULER,  
Chairman of Committee.

And Senate Bills Nos. 370 and 371, together with Committee Substitute for House Bill 177, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Your Committee on Education, to whom was referred:

Senate Bill No. 31:

A bill to be entitled An Act relating to public education, providing for an annual appropriation to the County School Fund as an emergency fund for the operation of schools of a sum equal to one hundred and fifty dollars for each instruction unit for the school year ending June 30, 1943, and of a sum equal to one hundred and fifty dollars for each instruction unit for the school year ending June 30, 1944, to be apportioned on the basis of instruction units allocated to each county as such instruction units are defined by law; directing how the money shall be used and declaring that the appropriation is supplemental and in addition to all other appropriations to the County School Fund.

Senate Bill No. 309:

A bill to be entitled An Act to amend Sections 550 and 551 of Chapter 19355 of the Laws of Florida of 1939, also known as Paragraph 231.50 and 231.51, Florida Statutes 1941, being An Act relating to public education, providing for the organization, establishment, operation, maintenance, and support of the State System of Public Education and prescribing penalties for violating any provisions of the Act, and any rule and regulation made pursuant to the Act. Said amendment to provide for the payment of a pension to Annie R. Helms.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

JAY A. SHULER,  
Chairman of Committee.

And Senate Bills Nos. 31 and 309, contained in the above report, were placed on the Calendar of Bills on Second Reading.

Your Committee on Education, to whom was referred:

Senate Bill No. 306:

A bill to be entitled An Act to create a State University to be known as the "University of South Florida," whose primary purpose shall be a School of Medicine and a School of Dentistry, and making an appropriation therefor.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

JAY A. SHULER,  
Chairman of Committee.

And Senate Bill No. 306, contained in the above report, was referred to the Committee on Appropriations under the joint reference.

Your Committee on Forestry and Parks, to whom was referred:

Senate Bill No. 363:

A bill to be entitled An Act classifying the planting, raising, cultivating, processing or cutting of Southern pine trees with agriculture and providing that persons engaged in such planting, raising, cultivating, processing or cutting shall be entitled to all the rights and privileges which persons engaged in agriculture by law may now or hereafter enjoy.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

A. G. MCARTHUR,  
Chairman of Committee.

And Senate Bill No. 363, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B," to whom was referred:

Senate Bill No. 253:

A bill to be entitled An Act to amend Section 18-A of Chapter 18285, Laws of Florida, Acts of 1937, as amended by Section 1 of Chapter 20714, Laws of Florida, Acts of 1941, the same being Section 409.26, Florida Statutes 1941, creating the Florida Council for the Blind, and repealing all laws in conflict herewith.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

JOHN E. MATHEWS,  
Chairman of Committee.

And Senate Bill No. 253, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B," to whom was referred:

Senate Bill No. 345:

A bill to be entitled An Act to amend Section 95.11, Florida Statutes of 1941, relating to limitations upon actions other than real actions.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

JOHN E. MATHEWS,  
Chairman of Committee.

And Senate Bill No. 345, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B," to whom was referred:

Senate Bill No. 330:

A bill to be entitled An Act giving consent by the State of Florida to be sued and made a party defendant in suits in equity brought by any city, village or town of this state to enforce and satisfy its tax or assessment liens on property located therein the title to which vested in and is held by the State of Florida under Chapter 18296, Laws of Florida, Acts of 1937; providing that the former owner of said property, or anyone claiming by through or under him, or anyone claiming lien thereon, may be made parties to such suits for the purpose of barring the assertion of any rights or claims therein; providing that taxing districts may be made parties to such suits; establishing and providing the manner and method of adjudicating and discharging the interest of the State of Florida and the tax and assessment liens of the city, village or town, and taxing districts, in and on said



property in said proceedings; providing for the sale of said property and for the distribution of the proceeds thereof, after payment of certain costs and attorneys fees; providing that such suits shall be cognizable only in the courts of the State of Florida, and for the venue of such suits and the service of process therein; and providing that the Attorney General of the State of Florida shall represent the State in such suits.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

JOHN E. MATHEWS,  
Chairman of Committee.

And Senate Bill No. 330, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B," to whom was referred: House Bill No. 84:

A bill to be entitled An Act to amend Section 901.15 Florida Statutes, 1941, relating to when arrest by officer without warrant is lawful, so as to authorize such arrest for violation of a municipal ordinance committed in the presence of the Officer.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

JOHN E. MATHEWS,  
Chairman of Committee.

And House Bill No. 84, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B," to whom was referred: House Bill No. 107:

A bill to be entitled An Act to amend Section 48.14 Florida Statutes of 1941 by requiring the Clerk to enter a decree pro confesso on the day after the return day named in process served by publication, whether such return day be a rule day or not, and repealing all laws and parts of laws in conflict herewith.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

JOHN E. MATHEWS,  
Chairman of Committee.

And House Bill No. 107, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Judiciary "B," to whom was referred: Senate Bill No. 291:

A bill to be entitled An Act requiring the State Board of Accountancy to license as "Certified Public Accountants" all public accountants who have been licensed each year since January 30, 1932, and who also were engaged in the practice of public accounting in the State of Florida on July 1, 1916, and repealing all laws, and parts of laws in conflict herewith.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

JOHN E. MATHEWS,  
Chairman of Committee.

And Senate Bill No. 291, contained in the above report, was laid on the table.

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 161:

A bill to be entitled An Act relating to the rights, obligations and duties of married persons in Florida to each other, to their children and in their property; and providing that the husband shall be entitled to a curtesy in his wife's estate unless released.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

K. GRINER,  
Chairman of Committee.

And Senate Bill No. 161, contained in the above report, was certified to the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred (with amendments), after third reading:

Senate Bill No. 348:

A bill to be entitled An Act providing under certain conditions suit money, including a reasonable attorney's fee, to a divorced wife, or husband in proceedings subsequent to the rendition of a final decree of divorce by the courts of this state.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

K. GRINER,  
Chairman of Committee.

And Senate Bill No. 348, contained in the above report, was certified to the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

Senate Bill No. 80:

A bill to be entitled An Act to amend 192.06, Florida Statutes, 1941, relating to property exempt from taxation, so as to authorize taxation of such property of the United States as it shall permit to be taxed.

Senate Bill No. 131:

A bill to be entitled An Act redesignating and re-establishing State Road 77-A in Levy County and declaring said road as redesignated shall be a part of the third preferential system of State roads of this State.

Senate Bill No. 165:

A bill to be entitled An Act to enlarge the powers of the Game and Fresh Water Fish Commission by conferring the right of eminent domain upon said Game and Fresh Water Fish Commission in certain cases.

Senate Bill No. 210:

A bill to be entitled An Act authorizing the State Library Board to negotiate for the transfer of and to receive public records from any official department or agency of the State of Florida; making the State Library Board legal custodian of all public records turned over to it by any and every such official, department or agency; authorizing any public officer to turn over to the State Library Board such public records legally in his custody as are not needed for the transaction of the business of his office whenever the State Library Board is willing to receive and care for them; requiring the Secretary of the State Library Board to receive for deposit in the Florida State Library all records turned over to said board by any public officer or any agency of the State, and that said Secretary of the State Library Board receipt for all records received.

Senate Bill No. 260:

A bill to be entitled An Act relating to South Indian River Drainage District, a Drainage District organized and existing under the Laws of Florida and embracing certain lands in Palm Beach County, Florida; permitting landowners at their option to pay South Indian River Drainage District taxes direct to Treasurer of the District, providing for record to be made thereof and fee to be paid Tax Collector in connection therewith; ratifying, confirming and validating certain acts of the Board of Supervisors, officers and agents of the district.

Senate Bill No. 272:

A bill to be entitled An Act to repeal Chapter 21051, Acts of 1941, Laws of Florida, same being An Act entitled: "An Act to provide that the Sheriff in all counties of Florida, having a population of not less than 7,000 and not more than 7,050 according to the last Federal census shall be allowed \$50.00 per month for a jailor, and to provide for the payment thereof."

Senate Bill No. 273:

A bill to be entitled An Act to repeal Chapter 20645, Acts of 1941 Laws of Florida, same being An Act entitled: "An Act fixing the salaries and fees of the Justices of the Peace and Constables in all counties of the State of Florida, having a population of not less than 7,000 and not more than 7,050 according to the 1940 Federal census."

Senate Bill No. 274:

A bill to be entitled An Act to repeal Chapter 21050, Acts of

1941, Laws of Florida, same being An Act entitled: "An Act to provide that the County Judge in all counties of Florida, having a population of not less than 7,000 and not more than 7,050 according to the last Federal census, shall be allowed \$50.00 per month for clerk or secretary and provide for the payment thereof."

**Senate Bill No. 288:**

A bill to be entitled An Act relating to the compensation of the Clerk of the Circuit Court for services performed in suits or proceedings before the Circuit Court in all counties of the State of Florida having a population of not less than thirty-eight thousand five hundred and not more than thirty-eight thousand seven hundred according to the official Federal census of 1940.

**Senate Bill No. 289:**

A bill to be entitled An Act authorizing photographic recording of instruments by the Clerks of the Circuit Courts in counties of the State of Florida having a population of more than 38,500 and less than 38,700 inhabitants according to the 1940 Federal census.

**Senate Bill No. 310:**

A bill to be entitled An Act to provide how persons who have registered or who may hereafter register under the provisions of Chapter 20797, Laws of Florida of 1941, may register change of party affiliation.

**Senate Bill No. 313:**

A bill to be entitled An Act authorizing and requiring the City of Tampa to pay a pension to Ruy H. Cason.

**Senate Bill No. 315:**

A bill to be entitled An Act to amend Section 1, of Chapter 20998, Laws of Florida, 1941, the same being An Act providing for the employment of two stenographers for the County Solicitor for the Criminal Court of Record, and to provide for the purchase of supplies and payment of rent and other expenses for such County Solicitor, and fixing the compensation of such stenographers in counties of the State of Florida having a population of not less than 125,000 and not more than 200,000 according to the last preceding Federal census; and repealing all laws and parts of laws in conflict herewith.

**Senate Bill No. 318:**

A bill to be entitled An Act fixing the salaries of members of Boards of County Commissioners of the State of Florida in counties having a population of not more than ten thousand, five hundred (10,500), and not less than ten thousand, one hundred twenty-five (10,125), according to the last Federal census.

**Senate Bill No. 319:**

A bill to be entitled An Act providing for the compensation of members of the Board of Public Instruction in all counties of the State of Florida having a population of not more than ten thousand, five hundred (10,500), and not less than ten thousand, one hundred twenty-five (10,125), according to the last preceding Federal census.

**Senate Bill No. 325:**

A bill to be entitled An Act to amend Section 3 of Chapter 40 of Florida Statutes, 1941, relating to the number of jurors the County Commissioners in each county which has or may have a population exceeding eighty-five thousand according to the last preceding State or Federal census shall select in making up the lists of persons to serve as jurors, as provided by law.

Hereby reports that the above Bills have been correctly enrolled and are presented herewith for the signature of the President and Secretary of the Senate.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on  
Enrolled Bills on the Part of the Senate.

The Bills contained in the above report were duly signed by the President and Secretary of the Senate in open session, and ordered to be transmitted to the House for the signature of the Speaker and Chief Clerk of the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

**House Bill No. 118:**

A bill to be entitled An Act fixing the compensation of members of the Boards of Public Instruction in all counties of the State of Florida having a population of not less than 15,000 and not more than 16,000, according to the Federal census of 1940.

**House Bill No. 159:**

A bill to be entitled An Act to amend Chapter 17790 of the Laws of the State of Florida, Acts of 1937, same being: An Act relating to the compensation of the Clerks of the Circuit Court for services performed in suits or proceedings before the Circuit or County Courts in all of the counties in the State of Florida having a population of not less than 23,050 nor more than 26,000 according to the last or any future State census.

**House Bill No. 214:**

A bill to be entitled An Act fixing the compensation of the members of the Boards of County Commissioners in all counties of the State of Florida having a population of not less than 15,000 and not more than 16,000 according to the Federal census of 1940.

**House Bill No. 261:**

A bill to be entitled An Act providing that Section 98.27 Florida Statutes, 1941, relating to publication of a Certified List of Qualified Electors before any General Election shall be inapplicable to all counties of the State having a population of not less than 8,000 and not more than 8,500, according to the United States census of 1940.

**House Bill No. 317:**

A bill to be entitled An Act providing that Section 98.27 Florida Statutes, 1941, relating to publication of a Certified List of Qualified Electors before any General Election shall be inapplicable to all counties of the State having a population of not less than 6,500 and not more than 6,750, according to the United States census of 1940.

**House Bill No. 326:**

A bill to be entitled An Act to repeal Sections 11, 12, 160, 161 and 162 of Chapter 10552, Laws of Florida, Special Acts of 1925, being the Charter of the City of Fort Lauderdale, all relating to elections, and the manner of electing City Commissioners of the City of Fort Lauderdale; and to enact new provisions relative to elections in the City of Fort Lauderdale, and as to the qualifications and manner of electing City Commissioners of the City of Fort Lauderdale, and for other purposes relative thereto.

**House Bill No. 335:**

A bill to be entitled An Act to amend the Charter of the City of Miami, Florida, by authorizing said city to levy an annual tax, not exceeding four mills on the dollar, upon real and personal property therein, for the purpose of maintaining and operating a hospital in the City of Miami, Florida.

**House Bill No. 336:**

A bill to be entitled An Act to provide for the publication by the City of Miami, Florida, of a clear and understandable and inexpensive notice of sale of real estate because of the non-payment of past due municipal taxes when such sale is otherwise authorized by law.

**House Bill No. 338:**

A bill to be entitled An Act to amend Section 13 of Chapter 10847, Laws of Florida, approved May 9, 1925, entitled: "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade and to fix the boundaries and provide for the government powers and privileges of said city and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain acts and proceedings of the Commission and of officers of the city," relating to the filling of vacancies on the Commission caused by death, resignation or other causes, and providing that such vacancies shall be filled by appointment until their successors in office are elected and qualified, and providing for the election of more than three commissioners when necessary; all in compliance with Section 4 of the Charter of the City of Miami.



## House Bill No. 340:

A bill to be entitled An Act to empower the Boards of County Commissioners of counties having populations of not less than 260,000 according to the last preceding State or Federal census, to create districts for the collection, removal and disposal of garbage and waste in built-up communities having no municipal garbage and waste collection, removal and disposal ordinances, rules or regulations; requiring said boards to call public meetings upon petition of householders residing in such communities to determine if such districts shall be created; providing for the method of creation of such districts; empowering said boards to enter into contracts for such purposes with persons, firms, partnerships, corporations and municipalities, to adopt rules and regulations applicable to such various districts, and to collect varying fees for such collection, removal and disposal and for pro rata shares of cost of administration; providing for the administration of this Act and of all orders, rules, regulations or resolutions made under authority hereof, and prohibiting the collection, removal or disposal of garbage or waste in such districts hereafter created, except in accordance with such rules, regulations, orders or resolutions; and providing for methods of enforcement and remedies and penalties for violation of this Act or of any rule, regulation, order or resolution adopted under authority hereof.

## House Bill No. 341:

A bill to be entitled An Act authorizing and empowering the City of Miami to establish, appropriate, invest and maintain post-war public works reserve funds; to formulate and develop schedules for long-range, post-war programs of public works projects, and to make plans and surveys therefor.

## House Bill No. 349:

A bill to be entitled An Act to appropriate \$3,000 of racing revenue to the support of the local health unit in all counties of the State having a population of not less than 12,890 and not more than 12,910 according to the Federal census of 1940, and repealing all laws in conflict herewith.

## House Bill No. 428:

A bill to be entitled An Act authorizing and empowering the City of Panama City to prepare, approve and legally adopt a plat or map covering all lands in said city; to change the names of streets throughout the city, where duplicate street names now exist.

## House Bill No. 386:

A bill to be entitled An Act to fix and provide the compensation of the Clerk of the Circuit Court in and for Citrus County, Florida, for the collection and distribution of moneys for delinquent State and county taxes, and to provide how and from what moneys said compensation shall be payable, and to repeal all laws in conflict with said Act.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills on the part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

## House Bill No. 218:

A bill to be entitled An Act providing a supplemental and optional method of advertising the sale of lands for unpaid taxes, by County Tax Collectors of all Counties of the State of Florida having a population of not less than 100,000 and not more than 200,000, according to the last Federal census.

## House Bill No. 290:

A bill to be entitled An Act to fix and provide the payment of compensation of the members of the boards of County Commissioners in all counties in the State of Florida, whose population according to the 1940 Federal census was not less than 5750 and not more than 5950; to provide that said Act shall be effective and the additional compensation be paid from October 1, 1942, and to further provide from what funds the additional compensation shall be paid, and to repeal all laws in conflict with the same.

## House Bill No. 294:

A bill to be entitled An Act to fix and provide the compen-

sation of the members of the County Board of Public Instruction in all counties in the State of Florida, whose population according to the 1940 Federal census was not less than 5750 and not more than 5950.

## House Bill No. 330:

A bill to be entitled An Act providing the manner in which checks issued by City of Chipley, Florida, in payment of claims, accounts and obligations owed by said City, shall be executed; providing that only checks of said City so executed shall be obligations of said City; and providing that in the absence of Notice to the depository of said City, no responsibility shall be charged to such depository with respect to whether or not any such checks so issued and presented for payment were executed at a regularly constituted meeting of the Council of said City.

## House Bill No. 337:

A bill to be entitled An Act to amend Section 59 of the Charter of the City of Miami, being Chapter 10847, Laws of Florida, Special Acts of 1925, as amended by Chapter 13098, Acts of 1927, entitled: "An Act to amend and re-enact the Charter of the City of Miami, in the County of Dade, and to fix the boundaries and provide for the government, powers and privileges of said City and means for exercising the same; and to authorize the imposition of penalties for the violation of ordinances; and to ratify certain Acts and proceedings of the Commission and of the Officers of the City," by adding thereto a new paragraph to be known as Paragraph 59-G, authorizing and empowering the Municipal Judge to adjudicate a forfeiture to the City of Miami of all sums of monies taken from gambling implements, devices or apparatus, or seized in gambling raids by Police Officers, or in connection with any gambling device, scheme, lottery or game of chance, and used in evidence against any defendant or defendants charged with any violation of any ordinance or ordinances of the City of Miami.

## House Bill No. 339:

A bill to be entitled An Act to amend Chapter 18698, Acts of 1937, which was entitled as follows: "An Act recreating, confirming and continuing Miami Shores Village, a municipal corporation in Dade County, Florida; enlarging its boundaries and powers; prescribing qualifications of its electors; ratifying all taxes levied and Acts done by its officers; consolidating, superseding and amending prior Acts affecting said village, including Chapters 15689, 15690, 16568, 17610, Laws of Florida, (Acts of 1931, 1933, 1935), and repealing all laws so far as inconsistent with this Act; saving all rights, remedies and defenses of said village; declaring a rule of construction; and relating generally to said village" by authorizing and empowering said Miami Shores Village to establish and maintain a public library and public library system, and to levy a special tax not exceeding one mill, upon the real and personal property therein, for the purpose of establishing and maintaining said public library and public library system in said Miami Shores Village.

## House Bill No. 342:

A bill to be entitled An Act applicable to the Official Court Reporter for the Criminal Court of Record in any County of the State of Florida having a population of more than 250,000 according to the last preceding State or Federal census, and providing for the appointment and compensation of said Official Court Reporter.

## House Bill No. 408:

A bill to be entitled An Act authorizing and empowering the City Commission of the City of Panama City, Florida, to adjust, compromise, and settle delinquent city taxes of said City for the year 1941 and prior years; and to ratify, approve, and confirm settlements of such taxes heretofore made.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills on the part of the Senate.

Your Joint Committee on Enrolled Bills, to whom was referred:

## Senate Bill No. 87:

A bill to be entitled An Act to provide for the disposition of unclaimed dividends from assets conveyed to a Trustee, Corporation, or Liquidating Agent by a State Bank or Trust Company under the provisions of Sections 653.55, 653.56 and 653.57, Florida Statutes, 1941.

## Senate Bill No. 255:

A bill to be entitled An Act to amend Section 1 of Chapter 14899, Acts 1931 as amended by Section 1 Chapter 17253, Acts 1935 as amended by Section 1 of Chapter 19190, Acts 1939; Section 5 of Chapter 14899, Acts 1931 as amended by Section 4 of Chapter 17253, Acts 1935 as amended by Section 2 of Chapter 19190, Acts 1939; Section 11 of Chapter 14899, Acts 1931 as amended by Section 6 of Chapter 17253, Acts 1935 as amended by Section 3 Chapter 20960, Acts 1941, being "An Act regulating the sale of securities and to make uniform the law relating thereto; and to repeal Statutes which are inconsistent herewith."

## Senate Bill No. 41:

A bill to be entitled An Act to amend Sections 462.01, 462.05, and 462.08, Florida Statutes, 1941, defining naturopathy and relating to examination, license and registration requirements for the practice of naturopathy; providing additional requirements for granting renewal licenses; providing for restoration of expired licenses and registration with State Board of Health; recognizing provisions of Florida Basic Science Law, providing for partial invalidity of Chapter; and repealing all laws in conflict herewith.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate.

## Committee Substitute for Senate Bill No. 244:

A bill to be entitled An Act levying a tax upon every licensee conducting a dog race meeting, of a percentage of the average total daily contributions to pari-mutuel pools on dog racing in addition to all other taxes otherwise levied and assessed; providing when and where said taxes shall be paid and designating said taxes for the "Old Age Assistance Tax Fund;" and providing a penalty for non-payment of such tax.

Which was pending roll call at the hour of adjournment, was taken up.

Upon the passage of Committee Substitute for Senate Bill No. 244 the roll was called and the vote was:

Yeas—Senators Barringer, Black, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Graham, Hinely, Lewis, Lindler, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Sturgis, Wilson—21.

Nays—Mr. President; Senators Adams, Baker, Beacham, Brewton, Franklin, Griner, Housholder, Johnson, King, Maddox, Mathews, Shuler, Taylor—14.

So Committee Substitute for Senate Bill No. 244 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Black moved that a committee be appointed to escort Honorable J. V. McCall, Chairman of the Board of County Commissioners of Hamilton County, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Black, Perdue and Baker as the Committee.

## SENATE BILLS ON SECOND READING

## Senate Bill No. 348:

A bill to be entitled An Act to provide under certain conditions suit money, including a reasonable attorney's fee, to a divorced wife in proceedings subsequent to the rendition of a final decree of divorce by the courts of this state.

Was taken up in its order.

Senator Taylor moved that the rules be waived and Senate Bill No. 348 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 348 was read the second time by title only.

Senator Taylor offered the following amendment to Senate Bill No. 348:

In title of bill, line three, after word "fee" strike out period and insert in lieu thereof a comma.

Senator Taylor moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Maines offered the following amendment to Senate Bill No. 348:

In Section 1, line 10, after the word "wife" insert a comma and add "or husband". Also in Sec 1, line 11, after the word "husband" add a comma and insert "or wife".

Senator Maines moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Maines also offered the following amendment to Senate Bill No. 348:

In line 3 of title after the word "wife", insert a comma and add "or husband".

Senator Maines moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Taylor moved that the rules be further waived and Senate Bill No. 348, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 348, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 348, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Cliett, Coleman, Franklin, Griner, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Taylor, Wilson—29.

Nays—Senators Graham, Sturgis—2.

So Senate Bill No. 348 passed, as amended, and was referred to the Committee on Engrossed Bills.

## Senate Bill No. 366:

A bill to be entitled An Act defining trade or occupation of opticians; providing for a license tax on persons, firms or corporations engaged in such trade or occupation; providing that persons, firms or corporations engaged in such trade or occupation shall not be subject to the jurisdiction of any board, agency or commission regulating any other trade, occupation or profession; repealing all laws or parts of laws in conflict herewith and providing for the effective date of this Act.

Was taken up in its order.

Senator Sheldon moved that the rules be waived and Senate Bill No. 366 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 366 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 366 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 366 was read the third time in full.

Upon the passage of Senate Bill No. 366 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Franklin, Graham, Griner, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Taylor, Wilson—30.

Nays—Senator Sturgis—1.

So Senate Bill No. 366 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

## Senate Bill No. 367:

A bill to be entitled An Act to protect the health, safety and welfare of the people of the State of Florida; defining terms used in this Act; prescribing regulations for the practice of massage and the conduct of massage establishments; providing for the creation of a Board of Masseurs and de-

fining the powers and duties of such board; providing for the inspection of all massage establishments and schools and requiring the registration of all who practice or teach massage; appropriating the proceeds thereof to accomplish the purposes of this Act; and providing penalties for the violation of any provisions of this Act.

Was taken up in its order.

Senator Beacham moved that the rules be waived and Senate Bill No. 367 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 367 was read the second time by title only.

Senator Beacham moved that the rules be further waived and Senate Bill No. 367 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 367 was read the third time in full.

Upon the passage of Senate Bill No. 367 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Graham, Griner, Housholder, Johnson, King, Lindler, Maddox, Maines, Mathews, McKenzie, Rose, Sheldon, Shuler, Taylor—25.

Nays—Senators Franklin, McArthur, Perdue, Shands, Sturgis, Wilson—6.

So Senate Bill No. 367 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

#### HOUSE BILLS ON SECOND READING

House Bill No. 117 was taken up in its order and the consideration thereof was informally passed.

House Bill No. 434:

A bill to be entitled An Act for the relief of Frank W. Jay on account of personal injuries received by him while an employee of Duval County, a political sub-division of the State of Florida, and engaged upon the performance of his duties as such; requiring the Board of County Commissioners of said county to investigate such claim and, upon certain findings to settle the same by payment out of special funds the amount of \$5,000.00.

Was taken up in its order.

Senator Mathews moved that the rules be waived and House Bill No. 434 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 434 was read the second time by title only.

Senator Mathews moved that the rules be further waived and House Bill No. 434 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 434 was read the third time in full.

Upon the passage of House Bill No. 434 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Wilson—35.

Nays—None.

So House Bill No. 434 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Joint Resolution No. 348:

A Joint Resolution proposing the amendment of Section 1 of Article IX of the Constitution of Florida relating to taxation.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following Amendment to Section 1 of Article IX of the Constitution of Florida relating to taxation be and the same is hereby agreed to and shall be submitted to the electors

of the State of Florida for ratification or rejection at the next General Election to be held in 1944, as follows:

Section 1. The Legislature shall provide for a uniform and equal rate of taxation, except that it may provide for special rate or rates on intangible property, but such special rate or rates shall not exceed two mills on the dollar of the assessed valuation of such intangible property, which special rate or rates, or the taxes collected therefrom, may be apportioned by the Legislature, and shall be exclusive of all other State, County District and Municipal taxes; and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal, excepting such property as may be exempted by law for municipal, education, literary, scientific, religious or charitable purposes.

Was taken up in its order and read the second time in full.

Senator Beacham offered the following amendment to House Joint Resolution No. 348:

In Section 1, line 4 (typewritten bill) strike out the words: "two mills" and insert in lieu thereof the following: "One (1) mill".

Senator Beacham moved the adoption of the amendment.

Which was not agreed to so the amendment failed of adoption.

Senator Rose offered the following amendment to House Joint Resolution No. 348:

After the "period" in the last line of the Joint Resolution add the following: "The aggregate amount of taxes assessed against real and personal property for all purposes for any one year shall not exceed twenty mills on the dollar of the assessed valuation of such property, except taxes levied for the payment of interest and principal on bonds heretofore issued which shall be separately assessed, provided that this limitation may be increased to not more than a total of five additional mills in any one year by a majority vote of those voting on such proposed increase at a special or general election, in which the total number of persons voting shall constitute the majority of the registered qualified electors in the taxing unit affected. The Legislature shall provide by general law for the apportionment to the various taxing units of the millage that may be levied hereunder of the taxes collected therefrom."

Senator Rose moved the adoption of the amendment.

Upon which a roll call was demanded.

Upon the adoption of the amendment offered by Senator Rose to House Joint Resolution No. 348, the roll was called and the vote was:

Yeas—Senators Baker, Beacham, Brewton, Cliett, Griner, Housholder, Johnson, Lindler, Maddox, Maines, McArthur, Rose, Shands, Shuler, Taylor—15.

Nays—Mr. President; Senators Barringer, Carroll, Clarke, Coleman, Collins, Davis, Franklin, Graham, King, Lewis, Mathews, McKenzie, Perdue, Sturgis, Wilson—16.

So the amendment failed of adoption.

The Following Pair Was Announced:

I am paired with Senator Black on the adoption of the amendment offered by Senator Rose to House Joint Resolution No. 348.

If Senator Black were present he would vote for the adoption of the amendment, and I would vote against its adoption.

RAYMOND SHELDON.

Senator Sturgis offered the following amendment to House Joint Resolution No. 348:

In Section 1, line 5, after the words "intangible property" strike the comma (,), insert a semi-colon (;) in lieu thereof, and insert the following: provided, that as to any obligations secured by mortgage, deed of trust, or other lien, the Legislature may prescribe an intangible tax of not more than two (2) mills on the dollar, which shall be payable at the time such mortgage, deed of trust, or other lien is presented for recordation, said tax to be in lieu of all other intangible assessments on such obligations.

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis also offered the following amendment to House Joint Resolution No. 348:

In Section 1, line 5, strike out the word "which" and insert the following: "The".

Senator Sturgis moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Sturgis moved that the rules be waived and House Joint Resolution No. 348, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Joint Resolution No. 348, as amended, which reads as follows:

A JOINT RESOLUTION PROPOSING THE AMENDMENT OF SECTION 1 OF ARTICLE IX OF THE CONSTITUTION OF FLORIDA RELATING TO TAXATION.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Section 1 of Article IX of the Constitution of Florida relating to taxation be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the next General Election to be held in 1944, as follows:

SECTION 1. The Legislature shall provide for a uniform and equal rate of taxation, except that it may provide for special rate or rates on intangible property, but such special rate or rates shall not exceed two mills on the dollar of the assessed valuation of such intangible property; provided, that as to any obligations secured by mortgage, deed of trust, or other lien, the Legislature may prescribe an intangible tax of not more than two (2) mills on the dollar, which shall be payable at the time such mortgage, deed of trust, or other lien is presented for recordation, said tax to be in lieu of all other intangible assessments on such obligations, which special rate or rates, or the taxes collected therefrom, may be apportioned by the Legislature, and shall be exclusive of all other State, county, district and municipal taxes; and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal, excepting such property as may be exempted by law for municipal, education, literary, scientific, religious or charitable purposes.

Was read the third time in full.

Upon the passage of House Joint Resolution No. 348, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Barringer, Beacham, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Hinely, Housholder, King, Lewis, Lindler, Maines, Mathews, McKenzie, Perdue, Shands, Shuler, Sturgis, Taylor, Wilson—26.

Nays—Senators Black, Griner, Johnson, Maddox, McArthur, Rose—6.

So House Joint Resolution No. 348 passed, as amended, by the required Constitutional three-fifths vote of all members elected to the Senate for the 1943 Session of the Florida Legislature, and the action of the Senate was ordered certified to the House of Representatives.

The Following Pair Was Announced:

I am paired with Senator Black on the passage of House Joint Resolution No. 348.

If he were present he would vote against the passage of the Joint Resolution and I would vote for its passage.

RAYMOND SHELDON.

Senator Beacham moved that the rules be waived and the Senate meet on Friday, May 7, 1943, during the hours from 10:00 o'clock A. M., until 12:00 o'clock, Noon.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Beacham moved that the rules be waived and when the Senate adjourns on Friday, it adjourn to reconvene at 3:00 o'clock P. M., Monday, May 10, 1943.

Which was agreed to by a two-thirds vote and it was so ordered.

#### HOUSE LOCAL BILLS ON SECOND READING

House Bill No. 193 was taken up in its order and the consideration thereof was informally passed.

House Bill No. 496:

A bill to be entitled An Act cancelling Everglades Drainage District assessments or taxes on certain county owned airport property in Palm Beach County; authorizing and directing the Clerk of the Circuit Court and County Tax Collector of Palm Beach County and Everglades Drainage District to cancel such assessments; exempting such property from future assessments of Everglades Drainage District; repealing all laws in conflict herewith.

Was taken up in its order.

Senator Beacham moved that the rules be waived and House Bill No. 496 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 496 was read the second time by title only.

Senator Beacham moved that the rules be further waived and House Bill No. 496 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 496 was read the third time in full.

Upon the passage of House Bill No. 496 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Hinely, Housholder, Johnson, King, Lewis, Lindler, Maddox, Maines, Mathews, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Wilson—35.

Nays—none.

So House Bill No. 496 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator McArthur moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 5:55 o'clock P. M., until 10:00 o'clock A. M., Friday, May 7, 1943.